

The Washington State  
**Funeral & Cemetery Board**  
NEWS BULLETIN

Department of Licensing

May 2015

## News from the meeting

### Discussion topics from the May board meeting

The Funeral & Cemetery Board met at the Capital Event Center in Tumwater on May 5, 2015. In addition to hearing a number of disciplinary cases for closure and orders for approval, the board formed two subcommittees to discuss issues in the funeral and cemetery industries. One committee will look at the scope of practice for funeral director interns, the role of the funeral director sponsor and the role of the designated funeral directory. The second committee will explore ongoing issues with cemeteries.

Please note: The August 4 Funeral & Cemetery Board meeting will begin at 10:30AM.

### The board welcomes Cameron Smock

Born in Seattle, Mr. Smock is a graduate of *Pacific Lutheran University* with a BA in English (1985) and *Mt. Hood Community College* with an AA in Mortuary Administration. He has worked for *Bonney-Watson Funeral Homes* and *Washington Memorial Park* cemetery since 1988. Mr. Smock served in a leadership capacity during most of his tenure, and was promoted to President/CEO in 2007. He has served on numerous community boards, including Rotary Clubs in Ballard and Burien, the Highline Medical Center Foundation, the Seattle Executives Association, the Washington Cemetery & Funeral Association and the Washington State Funeral Directors Association. Mr. Smock is married, has six “blended” children, and resides in Normandy Park, Washington.

#### **2015 Board Meeting Schedule**

Meeting agendas and minutes will be published on our [website](#) as they become available.

August 4 @ ESD113/Capital Event Center, Tumwater  
**10:30AM**

November 3 ESD113/Capital Event Center, Tumwater  
@ 9:00AM

2016 meeting dates will be set at the November meeting.

Meeting minutes are available on our [website](#), or attend the meetings in person to hear the complete discussions and earn continuing education credit.

## News from the Department of Health

Vital records law, RCW 70.58.107, requires the Department of Health and local registrars to provide certified copies of vital records, including death certificates, at no charge when requested in connection with a claim for compensation or pension pending before the Veterans Administration (VA). The Department of Health recently filed a [policy statement](#) with the Code Reviser’s Office to clarify the proof required to obtain a vital record at no charge when there is a claim of compensation or pension pending before the Veterans Administration.

## Licensee News

Congratulations! The Funeral and Cemetery Board and staff welcomed new licensees to the professions between March 16, 2015 and May 15, 2015.

#### **Funeral & Cemetery Board Members**

Ronald Messenger, Chair – cemetery member, Spokane  
James Letson, Vice Chair – cemetery member, Edmonds  
Jeffrey Wilson – funeral/embalmer member, East Wenatchee  
Cameron Smock – cemetery member, Normandy Park  
Todd Shifflett – funeral/embalmer member, Olympia  
Pete Cameron – funeral/embalmer member, Marysville  
Charles Chaplin – public member, Normandy Park

**Funeral Directors**

Bayard Osborn  
Lisa Rosewall

**Embalmers**

Teresa Gates  
Mary Hansen  
Natalie Kenan

**Funeral Director & Embalmer Interns**

Jennifer Edlund  
Katrina Furrow-Jacobson  
Randy Hirst  
Paul Lovgren  
Richard Murphy  
Jurea Rubit

**Funeral Director Interns**

Amy Burman  
David Kanongata'a  
Bonnie Masoner  
Brad Miller  
Tammy Stevens  
Carole Swanson

**Funeral Establishments**

Donovan's Funeral & Cremation  
Services

**Regulatory Activity**

The Funeral and Cemetery board staff protects the public's health, safety and welfare through 3 primary activities: audits of trust funds and pre-arrangement contracts, inspections of funeral establishments and crematories, and investigations of complaints. Between March 16, 2015 and May 15, 2015, staff completed 130 inspections, 20 prearrangement contract examinations, and 13 cemetery trust examinations.

**Complaints and Disciplinary Activity**

The Funeral and Cemetery Board regulates the industry by investigating complaints of unprofessional conduct, negligence and incompetence against licensees, and issues of unlicensed practice. When a complaint is received by the board, an initial investigation is started to gather information about the situation, and usually involves contact with the subject of the complaint (the respondent). A board member is assigned as a case manager and serves as the technical expert. The investigation process can be lengthy and the case has several possible outcomes. The case may be closed by the board with no further action if not enough evidence is found to support the complaint. For more serious issues, the board may issue a statement of charges against the respondent, with sanctions for each offense. The respondent has an opportunity for a settlement conference to negotiate the sanctions or can ask for a hearing before the board. To see details of past and current disciplinary orders, visit our [website](#).

**Open complaint cases**

Funeral	39
Cemetery	11

The board closed 7 complaint cases at the May 5, 2015 board meeting:

Case number	Allegation	Board Action
2014-05-2603-00FDE	Unprofessional conduct	The complaint alleged the cremation of a ring with a decedent. The case manager found the ring had been inventoried and there was no violation of law or rule. The board closed the case with no further action.
2014-09-2605-00FDE	Unprofessional conduct	The complaint alleged unprofessional conduct after the complainant's request of a funeral home to return a metal crematory identification tag was denied. The funeral home returned the tag to the crematory so the crematory's records would be correct. The case manager found no violation of law or rule and the board closed the case.
2014-10-2501-00CEM	Unprofessional conduct	The complaint alleged unprofessional conduct by a complainant who believed they were overcharged for minimum cremation services. The case manager found no evidence to support the violation and the board closed the case.

2014-12-2602-00FDE	Unprofessional conduct	The complaint alleged unprofessional conduct against a funeral home for offering a member discount to members of a fraternal organization in connection with the purchase of prearranged funeral services. An investigation found no violation of law or rule and the board closed the case.
2015-01-2600-00FDE	Unprofessional conduct	The complaint alleged unprofessional conduct after a four week delay in getting a death certificate signed resulted in a delay in obtaining a permit to proceed with cremation. The case manager did not find any evidence the delay was directly caused by the respondent and the board closed the case without action.
2015-02-2602-00FDE	Unprofessional conduct	The complaint alleged unprofessional conduct after an adult child felt his parents were deceived and led to purchase a more expensive preneed policy than they needed. The complainant cancelled the check and the policy was not issued. The board closed the case because there was no violation of law or rule.
2015-03-2600-00FDE	Unprofessional conduct	The complaint alleged unprofessional conduct against a funeral establishment for failing to mail cremated remains to a Texas establishment in a timely manner. An investigation found the delay was due to an oversight in the shipping. The respondent corrected the issue and refunded the cost of shipping to the decedent's family. The board closed the case because there was no violation.

The board heard 5 disciplinary orders at the May 5, 2015 meeting:

Case Number	Respondent	Board Action
2012-10-2601-03FDE	Zane K. Fitch Sr., Funeral Director	<p>The respondent was found to have acted as a funeral director while his license was suspended and refused to allow board inspectors to review active arrangement files. The board accepted the agreed order and imposed the following sanctions:</p> <ul style="list-style-type: none"> <li>• A fine of \$5,000 is assessed.</li> <li>• The respondent's funeral director license is suspended for three years. Two of the three years' suspension is stayed contingent on compliance with the following: <ul style="list-style-type: none"> <li>• Full cooperation with random monthly audits for six months and two additional audits over the course of the balance of the stay.</li> </ul> </li> </ul>
2014-01-2400-00CEM	West Hills Memorial Association	<p>The respondent was charged with unprofessional conduct for citing RCW 68.46.060 as a justification for failing to provide a full refund to a consumer for an at-need marker that was not delivered. RCW 68.46-060 only pertains to pre-arrangement purchases and does not apply to the at-need marker in this order. Although the respondent contested that their actions constitute unprofessional conduct, they admitted there were facts sufficient such that the violations could be found at a hearing and therefore, agreed to the order to mitigate risks at a hearing before the board. The board accepted the agreed order and imposed the following sanctions:</p> <ul style="list-style-type: none"> <li>• The cemetery certificate of authority of West Hills</li> </ul>

		<p>Memorial Association is reprimanded.</p> <ul style="list-style-type: none"> <li>• A fine of \$1,000 is assessed.</li> </ul>
2014-04-2602-00FDE	Dayspring & Fitch Funeral Home and Morya A. Fitch Breland, Funeral Director	<p>The respondent was charged with unprofessional conduct for failing to file a death certificate within three business days. The board accepted the agreed order and imposed the following sanctions:</p> <ul style="list-style-type: none"> <li>• The respondent is required to communicate with the health district registrar to better understand the three business day filing rule prior to the King County Medical Examiner's authorization and must submit a written report of how they plan to comply in the future within 90 days of the date the agreed order is served by the board.</li> <li>• A fine of \$500 is assessed.</li> </ul>
2014-09-2604-00FDE	Brown's Funeral Home & Cremation Services, Funeral Establishment	<p>The respondent was charged with unprofessional conduct for failing to comply with a previous board order. On July 24, 2014, the respondent was assessed a \$500 fine, due August 13, 2014. As of January 8, 2015, the respondent failed to submit the fine. The respondent ultimately paid the fine on April 23, 2015. The board accepted the agreed order and imposed the following sanctions:</p> <ul style="list-style-type: none"> <li>• The funeral establishment license is suspended for a period of one year. The suspension is stayed provided the respondent does not violate any further laws or rules governing funeral practice for a period of one year.</li> </ul>
2013-03-2404-04FDE	Bethann Grouell, Funeral Director Intern	<p>The respondent was charged with unprofessional conduct for not verifying the identity of a decedent and releasing cremated remains to the wrong families on March 15, 2013. The mistake was discovered on March 17, 2013 and both families were contacted. On March 20, 2013 the remains were exchanged and delivered to the correct families. The board accepted the agreed order and imposes the following sanctions:</p> <ul style="list-style-type: none"> <li>• The funeral director intern license of the respondent is suspended for a period of six months. The suspension is stayed provided the respondent does not violate any further laws or rules governing funeral practice for a period of 6 months.</li> <li>• A fine of \$250 is assessed.</li> </ul>

Funeral & Cemetery Board		Washington State Department of Licensing
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